



A G E N D A
OCONEE COUNTY COUNCIL MEETING
Tuesday, November 9, 2010 ~ ~ 6:00 PM
Council Chambers, Oconee County Administrative Offices
415 South Pine Street, Walhalla, SC 29691

1. **Call to Order**
2. **Extended Public Comment Session** *Limited: 2 citizens per mg. for 5 minutes, prior scheduling required)*
 - None Scheduled for this Meeting
3. **Public Comment Session/Agenda Items**
Agenda & Non Agenda Items: Combined both are limited to a total of forty (40) minutes, four (4) minutes per person.
4. **Public Comment Session/Non Agenda Items – time permitting**
Agenda & Non Agenda Items: Combined both are limited to a total of forty (40) minutes, four (4) minutes per person.
5. **Council Member Comments**
[Directly following Public/Extended Public Comment Session if applicable & time permits]
6. **Meeting Recess** *[Meeting will Recess no later than 6:50 p.m.]*

7. **Meeting Reconvenes** *[Meeting will Reconvene at 7:00 p.m.]*
8. **Moment of Silence**
9. **Pledge of Allegiance to the Flag of the United States of America**
10. **Approval of Minutes**
 1. October 19, 2010: Regular Meeting
11. **Presentations by Outside Organizations:**
 1. SCORE [Service Crop of Retired Executives]
 2. Council Chambers Flag Top Finial Presentation to Council / Tamassee DAR, Ms. Barnwell
12. **Consideration of the Following Resolutions:**
 1. **First & Final Reading of [Resolution R2010-15](#)**
“A RESOLUTION HONORING SANDRA SMITH ON HER RETIREMENT”
 2. **First & Final Reading of [Resolution R2010-16](#)**
“A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT LSSSD, WHEREBY, UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL EXECUTE A FEE IN LIEU OF TAX AGREEMENT FOR A PROJECT INVOLVING NOT LESS THAN FIVE MILLION DOLLARS (\$5,000,000) INVESTMENT” and [Inducement Agreement](#)
Project LSSSD plans to invest at least \$5.0M over the next 5-years and is requesting a Fee-In-Lieu-Of-Tax agreement. This project will also be placed in a Multi-County Park.
Project LSSSD will invest at least \$5.0M over that next 5-years and it is estimated they will pay fees of approximately \$270,000 over the life of the agreement.
A cost benefit analysis will be provided before third reading.
It is the staff’s recommendation that Council approve Resolution R2010-16 and take first reading on Ordinances 2010-32 and Ordinance 2010-34.
13. **Consideration of the Following Ordinances:**
 1. **Third & Final Reading of [Ordinance 2010-01](#)**
“AN ORDINANCE TO AMEND THE [OCONEE COUNTY COMPREHENSIVE PLAN](#)”

2. **First Reading of [Ordinance 2010-32](#)**

“AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017, 2010-04 and 2010-24 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK.

3. **First Reading of [Ordinance 2010-33](#)**

“AN ORDINANCE AMENDING THE OCONEE COUNTY CODE OF ORDINANCES, SECTION 34-1 RELATING TO THE OCONEE COUNTY INFRASTRUCTURE ADVISORY COMMISSION”

4. **First Reading of [Ordinance 2010-34](#)**

“AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT LSSSD; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES RELATED TO THE PROJECT”.

5. **First Reading [in title only] of [Ordinance 2010-35](#)**

“AN ORDINANCE TO AMEND THE ZONING ENABLING ORDINANCE PURSUANT TO A CITIZEN-INITIATED REQUEST TO REZONE A SERIES OF PARCELS REFERENCED AS **HERITAGE SHORES SUBDIVISION**”

The proposed Ordinance 2010-35 stems from a citizen-initiated rezoning request submitted by Mr. Curtis D. Shein. The request consists of 92 parcels in the Control Free District, located off South Highway 11 near Lake Hartwell. As submitted, the all parcels would be rezoned into the Lake Residential District (LRD). Petitions containing the signatures of approximately 59% of the owners of the parcels in the request area were submitted in support of the proposal.

It is the staff's recommendation that Council take first reading in title only of Ordinance 2010-35 and refer the matter to the Planning Commission for the required review.

6. **First Reading of [Ordinance 2010-36](#)**

“AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, SERIES 2011, OF OCONEE COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$17,000,000; FIXING THE FORM AND CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO”

This general obligation bond will be utilized for funding the Detention Center project.

7. **First Reading of [Ordinance 2010-37](#)**

“AN ORDINANCE AUTHORIZING THE TRANSFER OF AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES ACROSS CERTAIN OCONEE COUNTY REAL PROPERTY AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT RELATED TO THE SAME; AND OTHER MATTERS RELATED THERETO.” and [Easement Agreement](#)

For over 25 years Blue Ridge Electric Coop (BREC) has had two power utility lines traversing across the Oconee County Airport. One line services the Airports Non-directional Beacon (NDB) navaid. The other line is a main service line providing electric power to much of the southeastern population of Oconee County including High Pointe of Clemson. The main service line traverses directly across the “borrow “ site for the runway extension project. The easement agreement will allow Blue Ridge Electric Coop to use county property to provide electric power to the FAA aeronautical naviad AND provide electric power to the citizens of SE Oconee County. Mc Nair Law firm has drafted a new easement agreement protecting the county's interests while allowing BREC to provide power to SE Oconee County.

The relocation of the powerlines in the borrow area of the Airport construction site will lower the height of the relocated poles keeping them below the FAA approach surfaces for runway 7. The relocation of the powerline to the NDB will allow this navaid to be re-powered for use by all pilots. FAA will pay 95% of cost of power line relocation. FAA AIP Grant #17 has \$37,835 allocated for utility relocation.

It is the staff's recommendation that Council approve the easement agreement between Oconee County and Blue Ridge Electric Coop.

7. **First Reading in title only of Ordinance 2010-38**

“AN ORDINANCE ACKNOWLEDGING THE ACCEPTANCE OF CERTAIN ROADS INTO THE OONEE COUNTY ROAD SYSTEM; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ACCESS EASEMENT AGREEMENT RELATED TO THE SAME; AND OTHER MATTERS RELATED THERETO”

Hammock Ridge Drive is part of Hammock Ridge Subdivision, a new subdivision created between Poplar Springs Road and Winding Lane. Hammock Ridge Drive is a new road in the subdivision that has been constructed and inspected according to Oonee County standards and regulations. The right-of-way deeds have been offered for acceptance; however, the County is unwilling to accept the responsibility for maintenance of “common areas” within the road right-of-way. The specific concern is the landscaped island and entrance sign as the subdivision is accessed off of Poplar Springs Road. The Developer and Staff have worked together to protect the interest of the County and preserve the desired aesthetic appeal of the development. To accomplish this balance the County Attorney is developing an ordinance, resolution and supplemental agreements to achieve this goal.

14. **Discussion & Possible Action Items**

[5 min. per Action Item]

1. **Presentation of Conceptual Site Plans / Project North / Ordinance 2010-31**

The Conceptual Site Plans for Project North will be presented to Council for review and discussion at the Council meeting. After the meeting, the plans will be posted to the Council website for citizen review prior to the Public Hearing and Third & Final Reading of Ordinance 2010-31 [Project North] which is scheduled for Tuesday, November 23, 2010 at 7:00 p.m.

2. **Planning Commission Recommendations**

Earlier this year the Planning Commission undertook a review of adopted zoning regulations to identify issues deemed problematic, and create proposed remedies. As a result of this effort, the Commission developed a series of recommendations for Council’s consideration, which were discussed at a joint County Council/Planning Commission workshop in June. Subsequent to the workshop, Council adopted 2 new zoning districts (Public and Recreation Lands & Agricultural Residential) recommended by the Commission. The Planning Commission has requested clarification regarding Council’s decisions on other recommendations.

Review the proposed changes and provide instruction to staff on Council’s wishes as appropriate.

15. **Board & Commission Appointments**

[None at this meeting]

16. **Commission / Board Reports to Council** [ten minute maximum]

[None at this meeting]

[Keowee Fire Tax District Commission will report at the December 7th meeting]

17. **Council Committee Reports**

1. Law Enforcement, Public Safety, Health & Welfare Committee / Mr. McCall

2. Transportation Committee *[reports from two meetings]* / Mr. Thrift

18. **Administrator Report**

19. **Old Business**

20. **New Business**

21. **Executive Session**

[for the purpose of receiving legal advise regarding a pending contractual matter]

- Vote/Action on matters discussed in Executive Session

[if required]

22. **Adjourn**

[This agenda is not inclusive of all issues which Council may bring up for discussion at this meeting.]

Assisted Listening Devices [ALD] are available to accommodate the special needs of citizens attending meetings held in Council Chambers. ALD requests should be made to the Clerk to Council at least 30 minutes prior to the meeting start time.

REMINDER: The November 16, 2010 Council meeting has been cancelled and rescheduled to Tuesday, November 23, 2010.

Oonee County Council & Committee meeting schedules and agendas are posted at the Oonee County Administration Building and are available on the County Council Website www.ooneesc.com/council.html [All upcoming meetings will be held in Council Chambers unless otherwise noted]

Council will hold a **Public Hearing** on Tuesday, November 23, 2010 at 7:00 p.m. regarding the following ordinances:

Ordinance 2010-29 “AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN OCONEE COUNTY REAL PROPERTY, CONTINGENT ON THE SATISFACTORY COMPLETION OF ALL DUE DILIGENCE AND CONTRACTUAL REQUIREMENTS ESTABLISHED BY OCONEE COUNTY, TO THE SATISFACTION OF OCONEE COUNTY COUNCIL; AUTHORIZING THE COMPLETION OF SUCH DUE DILIGENCE AND CONTRACTS; AUTHORIZING THE RECEIPT OF ALL LAWFUL FUNDS AUTHORIZED FOR SUCH PURCHASES; AUTHORIZING THE EXECUTION AND DELIVERY OF ALL CONTRACTS, INTERGOVERNMENTAL AGREEMENTS, AND OTHER DOCUMENTS RELATED TO SUCH PURCHASES; AUTHORIZING THE AMENDMENT OF THE CURRENT OCONEE COUNTY BUDGET ORDINANCE TO PROVIDE ACCOUNTING AND FUNDING FOR THE TOTAL COST OF CONTRACTING FOR AND PURCHASING SUCH PROPERTIES; AND OTHER MATTERS RELATED THERETO” [**400 S. Church Street/Propex**] , and

Ordinance 2010-31 Same Caption [Project North]

Any citizen wishing to speak at the meeting regarding this ordinance may do so by signing up at the meeting. Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting. Please submit written comments to the Clerk to Council, 415 South Pine Street, Walhalla, South Carolina, 29691.